

---

# Public Notice

---

**Applicant:**

Rochester Yacht Club

**Date:**

**Published:** December 24, 2002

~~**Expires:** January 22, 2003~~

**U.S. Army Corps  
of Engineers**

**In Reply Refer To:**

**Buffalo District CELRB-TD-R RE:** 95-483-10(2) **Section:** NY 10 and 404

---

**Application for Permit under Authority of  
Section 10 of the Rivers and Harbors Act of 1899 and  
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

The Rochester Yacht Club, 5555 St. Paul Boulevard, West Irondequoit, New York, 14617, has requested a Department of the Army permit to perform annual maintenance dredging of up 4000 cubic yards of silt from the entrance channel and mooring basin of their facility with a clamshell bucket dredge. The proposed project depth is 234.5 feet International Great Lakes Datum (IGLD), 1985. The project is situated adjacent to the east side of the Genesee River below the railroad bridge, in Monroe County, New York. The dredged material will be transported by a bottom opening scow and discharged over the established offshore disposal site off Rochester, New York.

Maintenance dredging of the entire channel and basin to this depth with open lake disposal was previously authorized under Department of the Army No. 90-329-9 in 1990. That individual permit was extended for five years under Department of the Army No. 95-483-10(1) and expired on July 25, 2000.

Physical, chemical, and biological analyses of sediments at federal project depth in Rochester Harbor (Genesee River) were most recently performed by the Corps of Engineers in October, 2000 (report dated January 2001), a copy of which is available in this office for review.

Past testing data includes reports from 1985, 1990, and 1994, and all reports indicate that the sediments consist of silts and clays. The 2001 data continues to support open lake disposal as environmentally acceptable for the Rochester Harbor sediments. Therefore, there is no reason to believe that any additional testing of the Rochester Yacht Club accumulated sediments should be required prior to authorizing the use of the open lake disposal site for the deposition of this dredged material.

The purpose of the project is to maintain safe depths for navigation by recreational watercraft.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Elizabeth W. Stone, who can be contacted by calling (716) 879-4363, or by e-mail at: elizabeth.w.stone@usace.army.mil

The applicant has certified that the proposed activity complies with New York's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with New York State's Coastal Zone Management Program should be forwarded to:

Ms. Laurissa Parent  
New York Department of State  
Division of Coastal Resources  
Consistency Coordinator  
Coastal Management Program  
41 State Street  
Albany, New York 12231-0001  
Telephone (518) 486-3200

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207 3199, and should be marked to the attention of Elizabeth W. Stone, or by e-mail at: [elizabeth.w.stone@usace.army.mil](mailto:elizabeth.w.stone@usace.army.mil). A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal

will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner  
Chief, Regulatory Branch

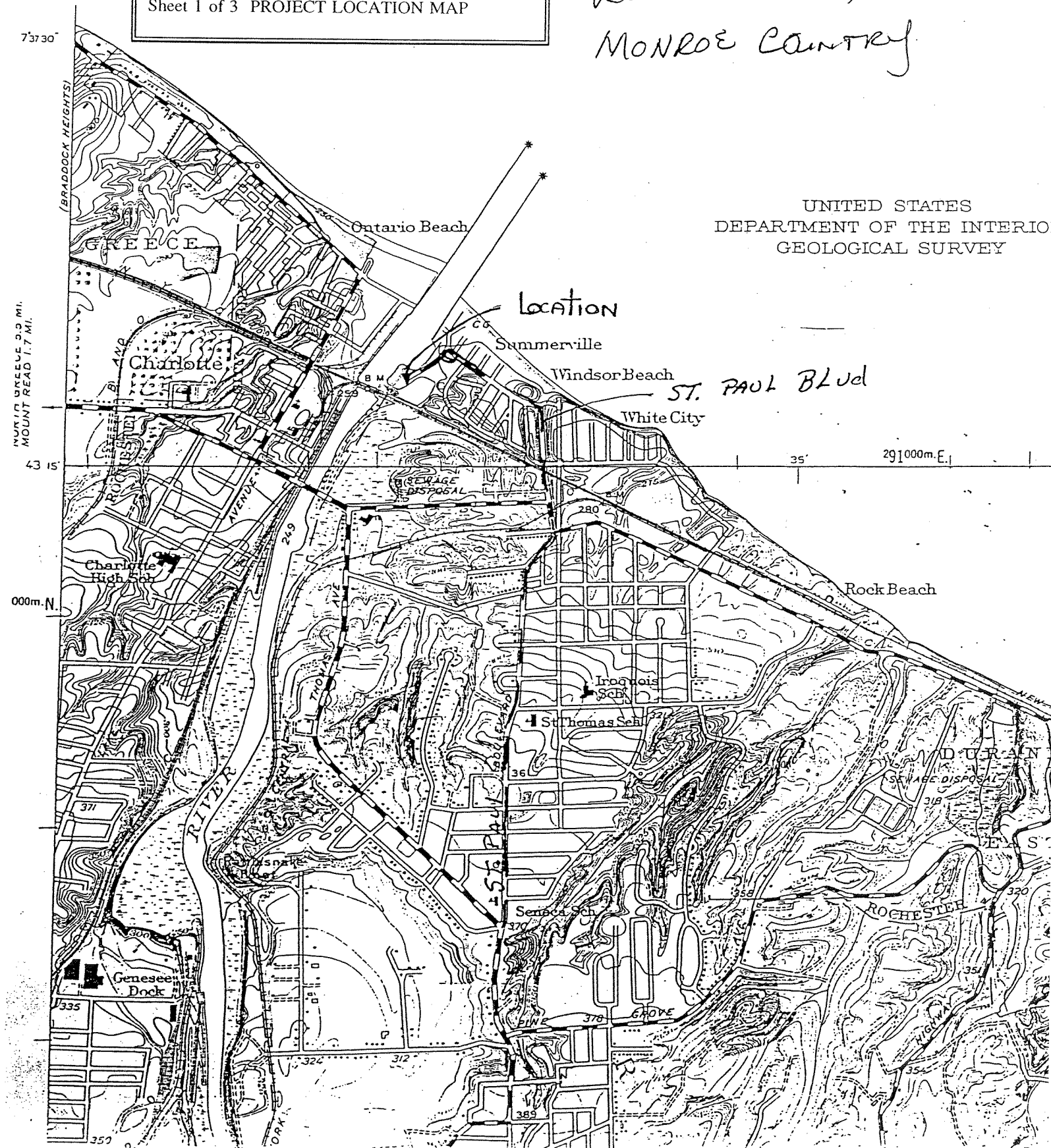
NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

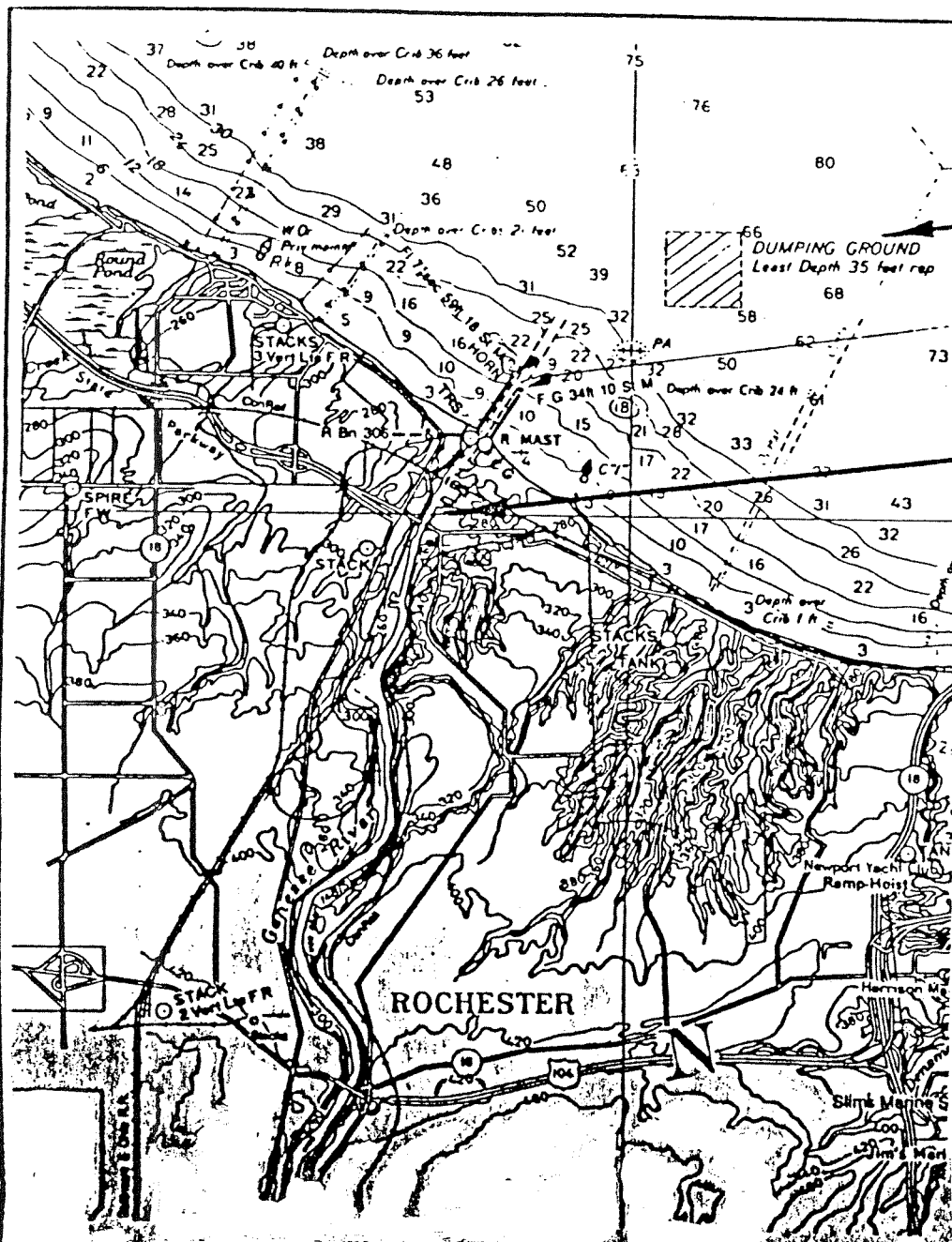


ROCHESTER YACHT CLUB  
D/A Processing No. 95-483-10(2)  
Monroe County, NY Quad: ROCHESTER EAST  
Sheet 1 of 3 PROJECT LOCATION MAP

ROCHESTER YACHT CLUB  
MONROE COUNTY

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY





Proposed Dump Site

Lat.  $43^{\circ}16'N$ .  
Lon.  $77^{\circ}34'W$ .  
approx.

Work Site

Lat.  $43^{\circ}15'N$ .  
Lon.  $77^{\circ}36'W$ .  
approx.

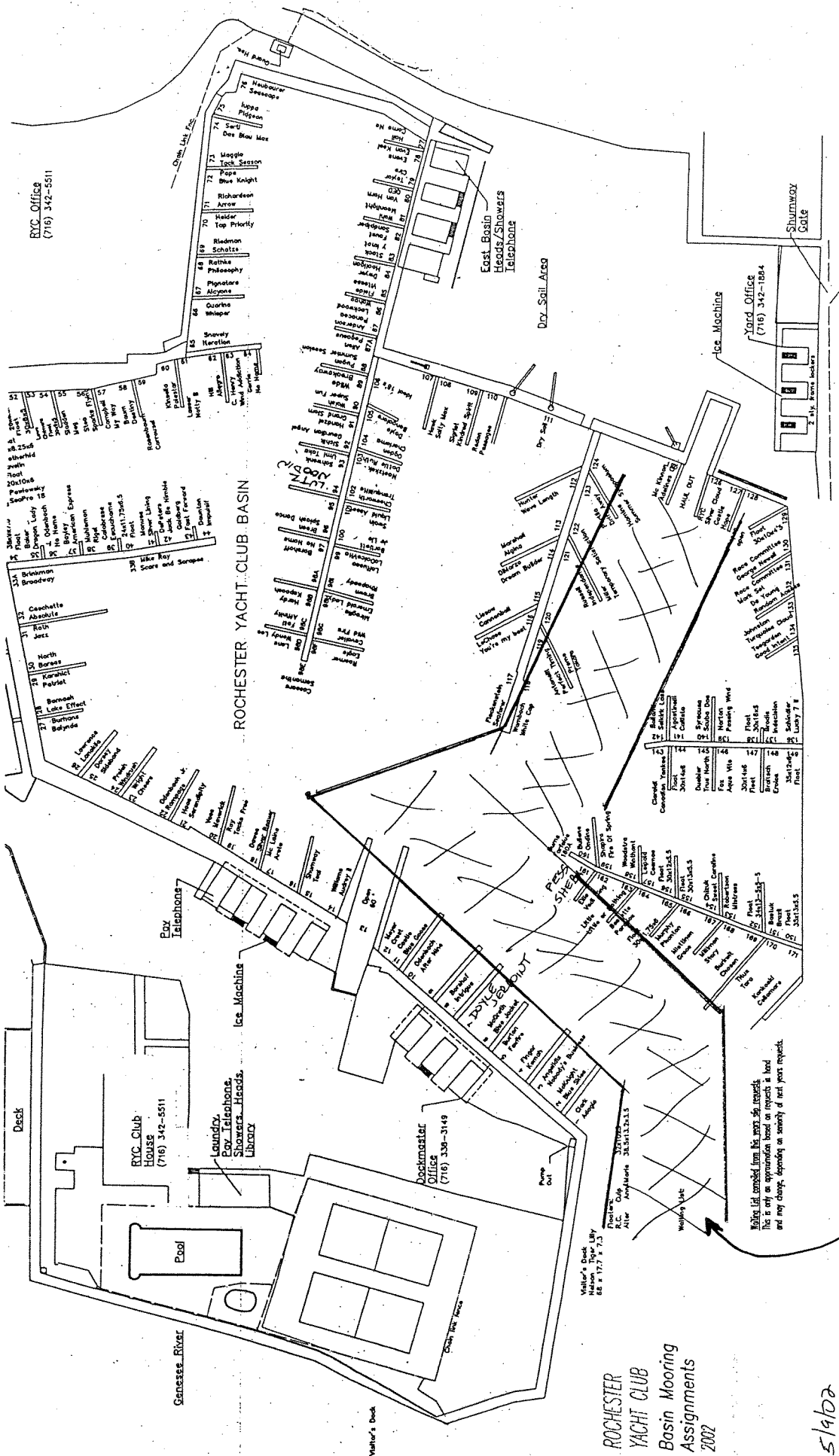
ROCHESTER YACHT CLUB  
D/A Processing No. 95-483-10(2)  
Monroe County, NY Quad: ROCHESTER EAST  
Sheet 2 of 3 PROPOSED DISPOSAL LOCATION

Scale 1:80,000

VICINITY MAP  
and  
LOCATION OF DUMP  
SITE

Lake Ontario, Genesee River  
Monroe County, New York

From NCAA Chart #14804.



PROPOSED DREDGING SITE

proposed depth = 234.5' IGLD '85

ROCHESTER YACHT CLUB  
D/A Processing No. 95-483-10(2)  
Monroe County, NY Quad: ROCHESTER EAST  
Sheet 3 of 3 PROJECT PLAN VIEW

ROCHESTER  
YACHT CLUB  
Basin Mooring  
Assignments  
2002

5/14/02